

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Fuel and Purchase Power) Docket No. 060001-EI
Cost Recovery Clause and Generating)
Performance Incentive Factor) Filed: August 14, 2006

**PEF'S OBJECTIONS TO OPC'S SEVENTH SET OF
INTERROGATORIES (NOS. 44-48)**

Pursuant to Fla. Admin. Code R. 28-106.206 and Rule 1.340 of the Florida Rules of Civil Procedure, Progress Energy Florida, Inc. ("PEF") hereby serves its objections to the Office of Public Counsel's ("OPC") Seventh Set of Interrogatories to PEF, Nos. 44-48, and states as follows:

GENERAL OBJECTIONS

With respect to the "Definitions" and "Instructions" in OPC's Seventh Set of Interrogatories, PEF objects to any definitions or instructions that are inconsistent with PEF's discovery obligations under applicable rules. If some question arises as to PEF's discovery obligations, PEF will comply with applicable rules and not with any of OPC's definitions or instructions that are inconsistent with those rules. Furthermore, PEF objects to any interrogatory that calls for PEF to create data or information that it otherwise does not have because there is no such requirement under the applicable rules and law.

PEF objects to OPC's definition "(i)" given that it includes "affiliates" in the definitions of "PEF" and "Progress Fuels." PEF objects to any definition or interrogatory

that seeks to encompass persons or entities who are not parties to this action or that are not subject to discovery under applicable rules.

Additionally, PEF generally objects to OPC's interrogatories to the extent that they call for data or information protected by the attorney-client privilege, the work product doctrine, the accountant-client privilege, the trade secret privilege, or any other applicable privilege or protection afforded by law.

Finally, PEF objects to any attempt by OPC to evade any numerical limitations set on interrogatories by asking multiple independent questions within single individual questions and subparts. By making these general objections at this time, PEF does not waive or relinquish its right to assert additional general and specific objections to OPC's discovery at the time PEF's response is due.

SPECIFIC OBJECTIONS

Interrogatory 44: PEF objects to Interrogatory 44 in part, as irrelevant, overbroad, and not likely to lead to the discovery of admissible evidence. Specifically, PEF objects to the data requested from 1995-2003 since such data has no relevance to or bearing on this proceeding. Subject to and without waiving these objections or any of PEF's general objections, PEF will produce any such information for 2004 and 2005.

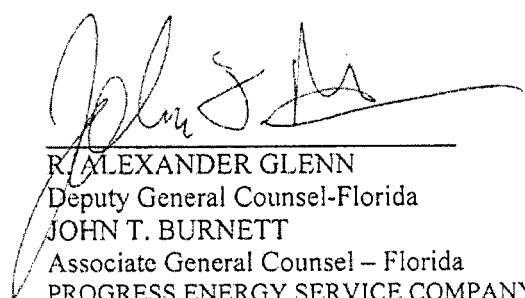
Interrogatory 45: PEF objects to Interrogatory 45 because it contains erroneous information. The McDuffie terminal referenced therein is not located in New Orleans; it is located in Mobile. Further, the interrogatory, in part, is irrelevant, overbroad, and not likely to lead to the discovery of admissible evidence. PEF objects to the data requested from 1995-2003 since such data has no relevance to or bearing on this proceeding.

Subject to and without waiving these objections or any of PEF's general objections, PEF will produce any such information for 2004 and 2005.

Interrogatory 46: PEF objects to Interrogatory 46 in part, as irrelevant, overbroad, and not likely to lead to the discovery of admissible evidence. Specifically, PEF objects to the data requested from 1995-2003 since such data has no relevance to or bearing on this proceeding. Subject to and without waiving these objections or any of PEF's general objections, PEF will produce any such information for 2004 and 2005.

Interrogatory 47: PEF objects to Interrogatory 47 in part, as irrelevant, overbroad, and not likely to lead to the discovery of admissible evidence. Specifically, PEF objects to the data requested from 1995-2003 since such data has no relevance to or bearing on this proceeding. Subject to and without waiving these objections or any of PEF's general objections, PEF will produce any such information for 2004 and 2005.

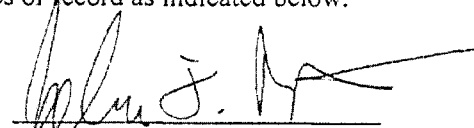
Interrogatory 48: PEF objects to Interrogatory 48 in part, as irrelevant, overbroad, and not likely to lead to the discovery of admissible evidence. Specifically, PEF objects to the data requested from 2000-2004 since such data has no relevance to or bearing on this proceeding. Subject to and without waiving these objections or any of PEF's general objections, PEF will produce any such information for 2005.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished
via U.S. Mail this 14th day of August, 2006 to all parties of record as indicated below.



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